

13 sheriff to and filed with the return of his doings as herein provided for.

1     **SEC. 21. Interpreting clause.** Any statute of this state providing  
2 for the destruction of intoxicating liquors shall be construed so that  
3 the disposition of such liquors under the provisions of this chapter  
4 shall constitute a destruction thereof within the meaning of such  
5 statute.

Approved April 6, A. D. 1923.

## CHAPTER 24

### INTOXICATING LIQUORS

S. F. 265

AN ACT to provide for the seizure and disposition of any vehicle containing intoxicating liquors which are being transported in violation of law.

*Be it enacted by the General Assembly of the State of Iowa:*

1     **SECTION 1. Condemnation of conveyance—procedure.** When any  
2 peace officer or other officer of the law shall discover any person in  
3 the act of transporting in violation of the law, intoxicating liquors  
4 in any wagon, buggy, by team, automobile, water or air craft, or  
5 other vehicle, or other conveyance, it shall be his duty to seize any  
6 and all intoxicating liquors found therein being transported contrary  
7 to law. Whenever intoxicating liquors transported or possessed  
8 illegally shall be seized by any officer, he shall take possession of the  
9 wagon, buggy, team, automobile, water and air craft, vehicle or any  
10 other conveyance, and shall arrest any person in charge thereof. Such  
11 officer shall at once proceed against the person arrested as provided  
12 by law; but the said vehicle or conveyance shall be turned over to the  
13 sheriff of the county where taken, and retained in the custody of  
14 said sheriff until disposed of as hereinafter provided, except it shall  
15 be returned to the owner upon execution by him of a good and valid  
16 bond with sufficient sureties in a sum double the value of the property,  
17 which said bond shall be approved by the sheriff of the county and  
18 shall be conditioned to return said property to the custody of said  
19 sheriff on the day of trial and to abide the judgment of the court.  
20 The court upon conviction of a person so arrested shall order the  
21 liquor disposed of as provided by law, and unless good cause to the  
22 contrary is shown by the owner, shall order the sheriff to sell at  
23 public auction the property seized; and such officer shall, after de-  
24 ducting the expenses of keeping the property, all costs which have  
25 accrued and the cost of the sale, pay all liens, according to their  
26 priority, which are established, by intervention or otherwise, at said  
27 hearing or in other proceedings brought for said purposes, as being  
28 bona fide and as having been created without the lienor having any  
29 notice that the carrying vehicle was being used or was to be used for  
30 illegal transportation of liquor, and shall pay the balance of the pro-  
31 ceeds into the treasury of the county for the use and benefit of the  
32 school fund. All liens against property sold under the provisions  
33 of this section shall be transferred from the property to the proceeds

34 of the sale of the property. If, however, no one shall be found  
 35 claiming the team, vehicle, automobile, boat or air craft, the taking  
 36 of the same with a description thereof shall be advertised in some  
 37 newspaper published in the city or county where taken, or if there  
 38 be no newspaper published in such city or county, in a newspaper  
 39 having circulation in the county, once a week for two weeks and by  
 40 handbills posted in three public places near the place of seizure, and  
 41 by mailing the same to the secretary of state who shall, if the owner  
 42 appears of record in his office, notify such owner of the fact of  
 43 seizure, and if not of record, said secretary shall mail such descrip-  
 44 tion to the county treasurer of each county, and to the state bureau  
 45 of investigation, and if no claimant shall appear within sixty days  
 46 after the last publication of the advertisement, the property shall  
 47 be sold and the proceeds, after deducting the expenses and costs, shall  
 48 be paid into the county treasury and shall be credited to the school  
 49 fund.

1 SEC. 2. Pending litigation. The provisions of this act shall in no  
 2 manner affect pending litigation.

1 SEC. 3. Publication clause. This act being deemed of immediate  
 2 importance shall be in full force and effect from and after its pub-  
 3 lication in the Des Moines Daily Record and the Des Moines News,  
 4 newspapers published at Des Moines, Iowa.

Approved March 15, A. D. 1923.

I hereby certify that the foregoing act was published in the Des Moines Daily News  
 March 17, 1923, and the Des Moines Daily Record March 19, 1923.

W. C. RAMSAY, *Secretary of State.*

## CHAPTER 25

### INTOXICATING LIQUORS

S. F. 606

AN ACT to amend section two thousand four hundred sixty-one-a (2461-a) of the  
 supplemental supplement to the code of Iowa, 1915, (C. C. 1019), relating to the  
 sale of intoxicating liquors.

*Be it enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Sales to minor or intoxicated person. That section  
 2 two thousand four hundred sixty-one-a (2461-a) of the supplemental  
 3 supplement to the code of Iowa, 1915, (C. C. 1019) be and the same  
 4 is hereby amended by inserting after the comma (,) following the  
 5 word "law" in the eighth line thereof the following: "or who shall  
 6 in any manner procure for, or sell or give any intoxicating liquors  
 7 to any minor for any unlawful purpose, or give to or in any manner  
 8 procure for or sell the same to any intoxicated person, or to one in  
 9 the habit of becoming intoxicated".